

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ERIK AKERMAN, *on behalf of himself and all others
similarly situated,*

Plaintiffs,

v.

ITHACA COLLEGE,

Defendant.

Case No.: 3:23-cv-1565-TJM-
TWD

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the Declaration of Michael A. Tompkins, Esq., the exhibits annexed thereto, and the Memorandum of Law in Support, Plaintiff Erik Akerman, on behalf of himself and on behalf of the proposed Settlement Class, will move this Court on January 6, 2025 at 9:30 a.m. in the United States District Court for the Northern District of New York, U.S. Courthouse, 15 Henry Street, Binghamton, NY 13901, before the Honorable Thomas J. McAvoy, for an Order granting: (1) preliminary approval of the proposed settlement; (2) provisional certification of the proposed Settlement Class; (3) appointment of Michael A. Tompkins and Anthony M. Alesandro of Leeds Brown Law, P.C. and Nicholas A. Colella of Lynch Carpenter, LLP as Class Counsel; (4) appointment of Named Plaintiff Erik Akerman as the class representative; (5) authorization to publish/distribute the proposed Notice and Election Form; (6) approval of the procedures for implementing the Agreement, including setting a date for a Fairness Hearing approximately 95 days from the date this motion is approved; and (7) any other relief that this Court deems just and proper.

Dated: Carle Place, New York
December 16, 2024

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**Admitted Pro Hac Vice*

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